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THIRD CONFERENCE ON THE LAW OF THE SEA

SECOND COMMITTEE

Nigeria: draft articles on the exclusive economic zone

Article 1

THE RIGHTS AND COMPETENCES OF A COASTAL STATE

1. A coastal State has the right to establish beyond its territorial sea, an exclusive economic zone the outer limit of which shall not exceed 200 nautical miles measured from the applicable baselines for measuring the territorial sea.

2. A coastal State has the following rights and competences in its exclusive economic zone:

(a) exclusive right to explore and exploit the renewable living resources of the sea and the sea-bed;

(b) sovereign rights for the purpose of exploring and exploiting the non-renewable resources of the continental shelf, the sea-bed and the subsoil thereof;

(c) exclusive jurisdiction for the purpose of control, regulation and preservation of the marine environment including pollution control and abatement;

(d) exclusive jurisdiction for the purpose of protection, prevention and regulation of other matters ancillary to the rights and competences aforesaid and, in particular, the prevention and punishment of infringements of its customs, fiscal, immigration or sanitary regulations within its territorial sea and economic zone; and

(e) exclusive jurisdiction for the purpose of control, authorization and regulation of scientific research.

3. A coastal State shall have the exclusive right to authorize and regulate in the exclusive economic zone, the continental shelf, ocean bed and subsoil thereof, the construction, emplacement, operation and use of offshore ^{artificial} islands and other installations for purposes of the exploration and exploitation of the non-renewable resources thereof.

4. A coastal State may establish a reasonable area of safety zones around its offshore artificial islands and other installations in which it may take appropriate measures to ensure the safety both of its installations and of navigation. Such safety zones shall be designed to ensure that they are reasonably related to the nature and functions of the installations.

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Article 2

THE RIGHTS AND COMPETENCES OF OTHER STATES

1. All States shall have the following rights in the exclusive economic zone of a coastal State:
 - (a) freedom of navigation and overflight; and
 - (b) freedom of laying of submarine cables and pipelines.
2. All States may exercise, subject to an appropriate bilateral or regional arrangement or agreement, the competence to exploit an agreed level of the living resources of the zone.

Article 3

THE DUTIES OF A COASTAL STATE

1. A coastal State shall use its exclusive economic zone for peaceful purposes only.
2. A coastal State, in its exclusive economic zone, shall enforce applicable international standards regarding the safety of navigation.
3. A coastal State, in its exclusive economic zone, is under an international duty not to interfere without reasonable justification with:
 - (a) the freedom of navigation and overflight, and
 - (b) the freedom of laying of submarine cables and pipelines.
4. A coastal State shall not erect or establish artificial islands and other installations, including safety zones around them, in such a manner as to interfere with the use by all States of recognized sea lanes and traffic separation schemes essential to international navigation.

Article 4

THE DUTIES OF OTHER STATES

1. In the exclusive economic zone of the coastal State, all other States are duty bound not to interfere with the exercise by the coastal State of its rights and competences.

2. In such an exclusive economic zone, all other States shall ensure compliance by vessels of their flag with:

- (a) applicable international standards regarding the safety of navigation outside safety zones established by a coastal State around offshore artificial islands and other installations used for the exploration and exploitation of the non-renewable resources of the zone; and
- (b) the regulations of the coastal State regarding the safety of the said offshore artificial islands and other installations as well as ancillary regulations of the coastal State regarding the enforcement of its customs, fiscal, immigration and sanitation laws.
